

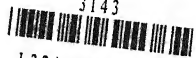
Character and Functioning of Ruling Parties and Working of Federal Polity in India.

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CHARACTER AND FUNCTIONING OF RULING PARTIES
AND WORKING OF FEDERAL POLITY IN INDIA

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CHARACTER AND FUNCTIONING OF RULING PARTIES AND WORKING
OF FEDERAL POLITY IN INDIA

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Abstract

[This paper is based on the argument that the operationalization of federal politics in India has been a matter of political convenience of the ruling parties. It posits that the crucial decision making regarding the inter-state and centre-state issues has been made by the ruling party organisational structures making the constitutional structure inconsequential and ornamental. In such a situation, the character of federal polity has really been shaped by the character and internal functioning of the ruling parties on the one hand and their interactional profiles with the other parties, ruling different States on the other.

Divided in four parts, the paper first discusses the contexts in which the Congress and the Janata parties have operated as ruling parties, and the areas determining the intra-party and inter-party relations. It then juxtaposes empirical events of political operationalization of the levers of power by the Congress in the pre-Independence, 1947-1965, 1966-1977 periods with basic issues in these areas. Birth of Janata Party and its functioning for a brief period of 9 months so far is compared next with the Congress as the ruling party. The paper finally lists a few points which are considered to be crucial to the future of federalism in India in two perspectives : one, where the existing socio-economic-political structure of the country is not going to change and, the second where it would be.]

When India's constitution was being framed by the Constituent Assembly in the early fifties, its size, racial, religious and linguistic diversities and poor past political record of nationhood forced its framers to opt for a federal system. Their main anxiety was to achieve political integration of the constituent units and this was sought to be achieved by vesting enormous amount of powers in the Centre.

How has the constitutional framework -- built up with so meticulous precision -- been politically operationalized during the

last 30 years? Irrespective of the semantic disagreement about its nomenclature among the constitutional luminaries¹, there is hardly any room for doubt that in actual practice -- both in normal and emergency circumstances -- it has been working only as a nominal federal system. Sure enough, certain constitutional provisions have been helpful in this regard. It is our contention, however, that, more than anything else, it is the convenience of the ruling parties and consequently, their character, organization, internal functioning and attitude toward other political parties that has decided the questions pertaining to centre-state relations. This is because of the fact that what the constitutional experts would term as inter-State and Centre-State issues have really been treated as intra-party and inter-party squabbles by the ruling parties. Beneath the formal constitutional structure governing the relationships between the Centre and the States and among the States, the crucial decision making has been made by the centralized ruling party organisational structures -- in point of fact, party under-structures -- since a single party continued to be the ruling party both at the Centre and the States most of the time. Of course, there have been several occasions before March 1977 when other political parties have occupied the ruling berths in a number of states and even now, when the role of Congress as the ruling party has been reversed at the Centre, it continues to be in power in Andhra Pradesh, Assam, Karnataka and Maharashtra². It is, however, our submission that the character of federal polity in India has not been significantly shaped by the ruling parties at the state level and, as such, in our analysis they are not given much attention. Precisely for the same reason, all India ruling parties -- firstly Indian National Congress and now the Janata -- are our main concern. The central thrust of this paper is certainly very limited: it only discusses the character and functioning of the Indian National Congress, mainly, and the Janata Party, very briefly, as ruling

1 Even in semantic terms this disagreement is considerable. To cite only three examples, it has been described as 'unitary in concept and operation' by Ashok Chandra, 'quasi-federal' by Wheare and 'cooperative federal' by Austin. See, Ashok Chandra, Federalism in India, (London, George Allen & Unwin, 1965), 124; K.C. Wheare, Federal Government, (New York, Oxford University Press, 1956), 28; and G. Austin, The Indian Constitution : Cornerstone of a Nation, (Oxford, Clarendon Press, 1968), 187.

2 In Kerala, it is only a dominant partner of the coalition. How long these governments are going to last, however, is one question on which it would be futile to hazard a guess.

parties and that too to vis-a-vis areas which have affected functioning of the federal polity. The analysis that follows is essentially not reconstruction of history -- although its very nature necessitates reference to historical events -- but mere juxtaposition of historical events with the theoretical postulates. The historical details, used in the paper, have been freely drawn from the works of a number of scholars, some of whom do not fall strictly under the category of social scientists but who have, at least to us, provided equally useful inputs³.

The paper itself is organized in four sections. The first one presents the contexts in which the Congress earlier and Janata now have operated as ruling parties and the areas determining the intra-party and inter-party relations; the second juxtaposes empirical events of political operationalization of the levers of power by the Congress in the pre-Independence, 1947-1965, and 1966-1977 periods with the issues pertaining to these areas; the third section concerns itself with the birth of Janta party

3 Prominent among these are : C.P. Bhambhari, Bureaucracy and Politics in India, (Delhi, Vikas, 1971); Biplap Dasgupta and W.H. Morris Jones, Patterns and Trends in Indian Politics : An Ecological Analysis of Aggregate Data on Society and Elections, (Bombay, Allied, 1975); K.L. Kamal and R.C. Meyer, Democratic Politics in India, (Delhi, Vikas, 1977); Stanely Kochanek, The Congress Party of India, (Princeton, Princeton University Press, 1968); Rajni Kothari, Politics in India, (Delhi, Orient Longmans, 1970); Rajni Kothari (ed.), State and Nation Building: A Third World Perspective, (New Delhi, Allied, 1976); V.B. Kul-karni, My Country and My Rulers, (New Delhi, Jaico, 1977); Rammanohar Lohia, Marx, Gandhi and Socialism, (Hyderabad, Nav-yug, 1963); B.B. Misra, The Indian Political Parties : An Historical Analysis of Political Behaviour upto 1947, (Delhi, Oxford, 1974); Norman D. Plamar, The Indian Political System, (Boston, Houghton, 1961); C.H. Phillips (ed.), Politics and Society in India, (London, George Allen & Unwin, 1963); Shiv-mangal Prakash, Nehru Uttradhikar, Dharmyug, 28 (46), 20th November, 1977, 6-13; Amal Ray, Tension Areas in India's Federal System, (Calcutta, World Press, 1970); M.M. Rehman, The Congress Crisis, (New Delhi, Associated, 1970); David Selbourne, An Eye to India : The Unmasking of a Tyranny, (Penguin, 1977); J.D. Sethi, India's Static Power Structure, (Delhi, Vikas, 1969); Myron Weiner, Party Politics in India : The Development of a Multi-party System, (Princeton, Princeton University Press, 1966); and Myron Weiner (ed.), State Politics in India, (Princeton, Princeton University, 1968).

and compares its functioning during the brief period of last 9 months at the Centre and about 6 months in some of the states as a ruling party with patterns of functioning of Congress as a ruling party; and the fourth and final section lists a few points which we feel would play crucial role in determining the future of federalism in India.

I

Nature of economy, nature of state and the conditions of Indian people, taken collectively, provide the complete range of political contexts in which the Congress and Janata have operated as **ruling** parties in India and in which the shape of federal polity has been structured⁴. The discussion of the contexts is very brief here partly due to the limitations of space and partly also because our main focus is on the process of operationalization of the federal polity in India by the ruling parties.

Nature of Indian Economy

The nature of Indian economy has been shaped by two forces : (a) the British during their rule and the world capitalist order in the post-Independence period, and (b) the response of ruling Congress party. Together they have decided the production and distribution of goods and services, respective priorities to agriculture and industry, the choice of technology, and the overall direction, pace and content of societal development. The British had, during their long rule in India, succeeded in making the Indian economy completely dependent on their own enabling them to exploit the Indian resources at a much lesser cost. After Independence, this dependency relationship had assumed an altogether different form with the entry of the multinational corporations which compensated for the loss of political power. Beginning in the early sixties, the world capitalist economy itself has been undergoing structural change which forced the multi-national corporations to undertake a worldwide reorganisation of their production through relocation of production to new sites, in particular in the developing countries -- such as India -- as well as through speeding up the

4 It is our submission that the three affect each other. However, a society and a people do interact with other societies, systems and people and, therefore, also affect each other.

rationalisation of production at the traditional industrial sites. This has resulted in super-exploitation in the developing countries in which the wage paid by capital is not enough to permit the reproduction of the labour power actually expended⁵. The Indian big business has provided a vital link in this schema.

The strategy of growth and development adopted by the Congress party largely followed the Western model of capitalist development. Its policies governing agricultural, industrial, rural and urban development provide unambiguous evidence of its intention to perpetuate inequality, injustice and exploitation. Allocations of resources, "regulatory" exercises and contents of programmes created a dual society in India, one which consisted of a rich minority and the second constituted by a whopping mass of hapless poor. A huge gulf of values, aspirations, incomes and life styles separated the two. The state apparatus and industrial effort was geared to service the elites: the teeming millions were left to fend for themselves.

The basic contradictions of capitalist development have been observed in the working of both agricultural and industrial sectors in India during the last 30 years of Congress rule. The Janata party government has indicated its general thinking regarding the priorities which it accords to agriculture and the industry. Its industrial policy, declared on December 23, 1977, differs significantly with the Congress party but even a cursory reading indicates that the direction is still very vague⁶. It is yet to formulate its rural and urban development policies.

5 An excellent treatise on this theme is offered by Folker Frobel, Jurgen Heinrichs and Otto Kreye, The New International Division of Labour : Structural Unemployment in Industrialized Countries and Industrialization in Developing Countries, (Hamburg, Rowohlt Taschenbuch Verlag, 1977). One may not, however, agree with their opinion, "given the conditions of capitalist world economy the efforts of individual states to devise an economic policy to reduce structural unemployment in the traditional industrialized countries and to achieve a balanced process of industrialization in the developing countries are doomed to failure".

6 Addressing a press conference at Kanpur on 24th December, 1977, Subramaniam Swamy, a prominent Janata M.P., described it only a government document. Even he stated that this industrial policy had to be explicit on how to break the unholy alliance between the monopoly business houses and the public sector and between bureaucracy and industrialists.

Nature of State

India's freedom movement culminated in mere "transfer of power". Independence itself was achieved without **revolution**⁷ and, as several scholars have pointed out, it was nothing but just 'transfer of power'⁸. Freedom for Indian people was still a far cry. What had actually happened was that one group of alien rulers had receded from the scene : the 'native ones' had occupied their place. Every thing else was kept intact: the insulated bureaucratic steel frame, the slanted judiciary, the talking-shop-grievance-venting Parliament and the system reproducing educational system remained -- and still remain -- unchanged. Above all, the state retained the hierarchical class and caste structure under which the ruling class -- the top politicians, the big business, the bureaucrats -- were not accountable, in real terms, to anyone excepting themselves⁹. During the last phase of Congress rule i.e. 1975-77, there was distinct evidence that even within this class only one family -- indeed just Indira and Sanjay -- really mattered and all others and other segments of the same class were just there to service them -- and not share with them -- in all respects.

7 This is also the opinion of as shrewd a politician and member of the ruling class as Dwarka Prasad Mishra. See, for example, his discussion with another 'insider', Shanker Dayal Singh, an influential ex-Congress M.P. from Bihar, in Dharmyug, 28 (50), 25 December, 1977, 10. About the ideological background of Indian nationalists, Desai provides the needed light. See, for instance, A.R. Desai, The Class Background of Indian Nationalism, (Bombay, Popular, 1962).

8 Social and economic change did not precede political development : it followed political change. Indeed, the party system developed in India from an application of external stimuli i.e. the British. See, in particular, B.B. Misra, op cit, 3.

9 This absolute discretionary power has been described by the present Additional Solicitor General of India, Soli Sorabji, as "an un-welcome intruder in a society governed by rule of law". Even he stressed the need of some authoritative structure which would control the unbridled exercise of public power. See, Soli Sorabji, 1st Bhai Parmanand Lecture on the Rule of Law : New Challenges and Dimensions, New Delhi, November 30, 1977.

It is significant to note that all that the Janata government has done, after being swept to power in March 1977, is generally to restore the status-quo ante. It has not so far given any indication whatsoever whether it wants to really change the all important power structure¹⁰.

Characteristics of Indian People

Attitudinal and behavioural characteristics of the Indian people provided the canvas on which the picture of the economy and the state was painted by the ruling class. Five among these stand out very distinctly :

- i) The magnitude of poverty, absolute as well as relative, has been enormous in the past, continues to be so at present and would continue to be so in future if the process of development itself is not given a new direction, speed and content. Continued poverty has generated a culture of poverty under which those below the poverty line do not get enough time for political organisation and participation and remain totally absorbed in managing the wherewithal for themselves. This group constitutes quite a significant chunk of the total citizenary of the country. To the extent they are shut off from participation in the political processes, the pressure on the ruling parties and the ruling class is reduced. At the same time, it also increases the chances of their manipulation in strictly "manageable" political processes such as elections through subtle -- and not so subtle -- devices by the 'party managers'.
- ii) The extent of exploitation -- between and among various segments of the society -- continues to be staggering. On the one hand, the ruling class continues to provide it shelter¹¹:

10 Charan Singh's call, given to the Kisan rally coinciding with his 76th birthday in December 1977, to the Kisans to capture power if given shape and substance in time to come might bring in some structural change. This is only a hypothetical question as yet, however. It remains to be seen what actually happens in this respect.

11 Their actual performance must, however, be contrasted with their public 'pledges', 'vows', 'crusades' and 'commitments' to stamp out exploitation from the society lock, stock, and barrel. This double-think and double-talk formed part of a larger design of the ruling class. It consisted of leaving its ideology delightfully vague, open to different interpretations; of ushering in revolutionary structural changes without changing the structure in any significant manner; of championing the cause of the poor and filling the coffers of the private big business; of promising to satisfy diametrically opposite objectives -- desired to be actualised by various segments of the polity -- at the same time. Of course, in reality, this can not be done; nor was it ever intended.

on the other religion confers on it moral sanctity by justifying the fate of the weak, the miserable and the powerless as something richly deserved and ordained by the God. As a result, the exploited quite often do nothing against their exploiters even if they do get an opportunity to do something once in a while. The exploiters consequently are let off the hook as it were in such circumstances.

iii) Illiteracy, ignorance and lack of knowledge about sensitive issues constitutes a third major characteristic of the Indian people. Together they ensure that the exploitative system is not only continued but also reproduced over and over again. Not only that the exploiters are better educated; they also control the diffusion of sensitive information -- channelized as it is through them -- to the underprivileged. To cap it, the judicial system can not ensure justice to the exploited since it is heavily slanted in favour of the powerful and the resourceful.

iv) Slavery over a long period covering several centuries has developed among the Indian people tremendous capacity to tolerate exploitation, injustice and indignities. The ruling class could always rest assured that they could perpetrate most heinous of the crimes and could still get away with it since there was very remote possibility of any serious revolt by a majority of the Indian people on their own initiative. The oppressed have been aroused, woken up from their slumber by others to fight what are essentially their battles. If others could be taken care of through a deft mixture of incentives and disincentives, half the battle was won without a real fight.

v) Sentimentality and hero-worship on the part of the masses made it possible for some among the ruling class to create a myth about themselves under which they were supposed to possess all the virtues, had no vices, were always right, could commit no wrong and were above all the rules and regulations. In retrospect, one notes that this was to produce three very serious consequences for the country : (a) some among the ruling class were making themselves 'indispensable' and 'irremovable'¹²;

12 This could be judged from the utterances of some of the members of the Nehru family, more particularly Krishna Hutheesing and Vijaylakshmi Pandit. In their description, for all practical purposes Nehru family was a royal family and anything it did was "applauded" by the masses. Vijaylakshmi Pandit was so much convinced of the indispensability of the Nehrus that she blurted : "the country would always accept a Nehru".

(b) any criticism of these worthies by well-intentioned men of equal eminence was dubbed as 'anti-national', 'unpatriotic', 'irresponsible',¹³ 'negative', 'disruptive', and in some cases even 'criminal'; and (c) honest political/party work got devalued and flattery, sycophancy, empty slogan-mongering and crowd management got undue importance.

It is in the above mentioned context the Congress and now the Janata have operationalized the levers of power. In this operationalization, the following have emerged as the major areas on which the stands of the ruling parties have largely determined the character of federal polity in India :

A. Character of Ruling Parties :

- i. The role of ideology in the working of the party.
- ii. The supremacy of party as against the dominance of party by a few personalities.
- iii. The party membership, its characteristics, genuineness, strengths and use by the party.
- iv. The formal structure, its activation and use for party ideology, its strength as against the informal understructure.
- v. The informal understructure which ran the party and the government(s) in collaboration with the other non-party segments of the ruling class.

B. Inter-action of Central Organisation of the Ruling Parties with the State Units :

- i. Status accorded to the State units.
- ii. Selection, continuance and removal of state level party and government heads and their colleagues.
- iii. Appointment and use of the Governors.
- iv. Central Party and Government directives to the Chief Ministers on issues that are essentially in the State, Concurrent and Central lists.

C. Inter-action of Central Government with the State Governments ruled by Other Political Parties :

- i. Tolerance of their existence.

¹³ It is difficult to avoid blaming Gandhi, Nehru and Indira for the development of personality cult on the one hand and non-tolerance of difference of opinion within the party and outside on the other. It seems to us that these 'great-men' were certainly jealous of such men who would steal the lime-light from them and saw to it that they were hounded out.

- ii. Accommodation in political and economic areas.
- iii. Directives on the issues in the State, Concurrent and Central lists.
- iv. Direct action in the States in defiance of stand taken by the State Government.

In the II and III sections, we would examine how the two ruling parties have responded on the issues relating to these areas¹⁴.

II

Analysis of response of Congress that follows has been made in three time frames : namely pre-Independence, 1947-1966, and 1966-1977. Very roughly, this categorization corresponds to the periods during which the Congress remained the handmaid of one or the other charismatic¹⁵ personality : Gandhi and Nehru monopolized the first and second respectively; Indira has been the central actor during the last one and also the period after March 1977. Congress has been treated as a ruling party even in the pre-Independence period because it did come to power intermittently during that period¹⁶. Since we have argued that the Congress party has been dominated by domineering personalities, we have prefaced their time frames with a discussion of their traits and empathy of their own roles.

Congress in the Pre-Independence Period

Gandhi did not start the Congress party: rather he captured it around 1917. By that time he had perfected his political techniques -- in South Africa -- and had brought himself on the Indian political scene in a dramatic manner. His entry into nationalist movement was preceded by his Champaran campaign and, as Misra puts it, his rise to national stature was with official recognition¹⁷. Gandhi hypnotized the Indian people with his

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- 14 There are some areas on which no empirical light is forthcoming and in such cases the discussion is perforce devoid of historical examples.
 - 15 Popularly, charisma tends to also imply competence. However, at least, we do not equate charisma with calibre or competence.
 - 16 Of course, it did not enjoy sovereign power which was vested with the British Government. The Congress only formed provincial ministries even otherwise and did not have much say at the national level.
 - 17 B.B. Misra, op cit, 175-176.

uniqueness of style i.e. symbolizing resistance to oppression, injustice and giving solace to the sufferers; relating ends with means; and non-violent satyagraha¹⁸ and cloaked himself in the moral frame of a saint. He certainly did not pay sufficient attention to the physical and economic basis of life¹⁹ and some of his theories i.e. trusteeship lacked touch with the realities. He visualized himself as a crusader and one who kept on experimenting with the truth.

The Congress, under Gandhi's dispensation, began as a political weapon for the establishment of its exclusive right to represent the nation. Its only ideology in the initial period was achievement of independence through civil disobedience. Gandhi gave a pacifist orientation to Congress and made it a movement. It was at a very late stage in the party's life that development of ideology received some attention.

Gandhi set the trend of subjugating the party to the supremacy of a few individuals and the Congress history of Gandhian phase is replete with numerous such instances. In particular, this is reflected in his decisions about treatment meted out to equally magnetic personalities (i.e. men like Jinnah, Subhash Bose) and party strategies and tactics. Apart from his well known clash over the Congress Presidency with Subhash Bose, and his criminal mishandling of Jinnah, Gandhi also manipulated his political battles so deftly which left the ideologically aligned Congressmen -- the leftists and the Communists -- high and dry. His individual satyagraha, for example, was aimed at excluding the Communists from the national struggle and disarming the Congress left²⁰. There are also numerous instances where he regimented and short-circuited inner-party democracy. Lohia²¹, for instance, mentions that in 1939 the resolutions passed by the AICC, the highest policy making body in the party, were vetoed by Gandhi and the party, realising Gandhi was more important, had to agree to his stand.

Since Gandhi valued unity and strength of the independent movement above all ideological considerations, he allowed people with diverse backgrounds and representing various shades of ideological thoughts to come under the umbrella of Congress²².

18 For a good critical analysis of Gandhi, see Rammanohar Lohia, Marx, Gandhi and Socialism, (Hyderabad, Navyug, 1963).

19 Ibid, 133-135.

20 B.B. Misra, op cit, 364.

21 Rammanohar Lohia, op cit, 145-146.

22 K.L. Mamal and R.C. Meyer, op cit, 26.

Not that it produced cohesion. However, Congress had within its fold several parties some of which broke away²³ later on. At this very phase itself, Congress learnt the tricky business of both representing the government and the opposition. In fact, it was Gandhi who made the claim that the Congress alone represented the whole country²⁴.

The formal structure of the Congress had a hierarchical build-up and the powers were centralized in the AICC. Individuals and state units did not matter much because for the elections party propaganda, machine and Gandhi's towering personality did wonders in a hierarchical society. Most crucial decisions concerning the fate of the party, the independence movement, and even participation in the government were made by an informal under-structure consisting of well known figures headed by Gandhi. However, as and when Congress worked as a ruling party during this phase, there was polarization of conflicting forces²⁵.

Congress during this phase did not have the opportunity to act as an all India ruling party but its working vis-a-vis the freedom movement set the pattern for the future.

Congress During 1947-1965

Nehru was the man who dominated this time frame although Gandhi was alive for an year or so in its initial part and Shastri was the Prime Minister for 18 months in its closing phase. Nehru had the conviction that he was a man of destiny. He had apparently persuaded himself that he was an historical figure operating beyond the national boundaries and he functioned accordingly although the Indian context put up several constraints. He was also an idealist, a big dreamer, who quite often left touch with the live realities. By his very nature, he was impatient and his conduct was not conducive to a healthy growth of inner party democracy inside Congress and fuller participation by others in the parliamentary institutions. His highly

23 Notable among these were the Liberal Party, Nationalist Party, and All India Congress Socialist Party.

24 The claim was made in 1939. Leaders from Liberal, Hindu Mahasabha, and Democratic Swarajya Party discounted this claim. It was this arrogance that later on led Jinnah to teach Gandhi a lesson by totally refusing to cooperate with him.

25 These were represented by middle and landed, propertorial classes. This participation in government in itself was result of conflicting pulls and pressures within the Congress.

stung nature brought about personal tiffs with illustrious men like Rajendra Prasad, Sardar Patel, J.B. Kripalani, P.D. Tandon and D.P. Mishra. Some of these had to leave the party. He treated his cabinet colleagues and other important men less than his equals, some indeed with utter contempt. He also felt that he could shoulder herculean tasks. He was but an ordinary mortal and this prevented structurization of policies, strategies, and programmes. He personally tried to cast, evolve, and elucidate them ignoring quite often expert opinion. The masses reposed in him tremendous faith and showered on him love, esteem and glory. He just did not live up to them

In the post-Independence period, when the task before the government was to address itself to socio-economic-political issues facing the country, there was hardly any choice before Congress but to outline its stand on a number of ideological issues. Gandhi had left a legacy of his own in this regard. However, what Nehru did to the Gandhian legacy was to shape the basic character of ideology development by the Congress in the subsequent years. He accepted Gandhi but rejected most of the things Gandhi stood for²⁶. He enunciated vague policies in respect of industrial and economic development, foreign relations, and decentralization: for, he knew that the Congress party was nothing but a consensus of conflicting interests and, as such, adopted public and private postures on all these²⁷.

Gandhi was only controlling the Congress party in his days: Nehru did one better. He controlled both the Government and the party. Prior to 1959, there used to be Congress Presidents who were, of course, subservient to him. After his brush with

26 Without going into their merits, one could refer to Gandhi's views on decentralization, village republics, cottage industries, trusteeship, untouchability and Harijan upliftment, and relationship of ends and means.

27 Nehru's true class links become clear from the manner in which he actualised the policies. To take, one example, his public posture of providing commanding heights to the public sector is not borne out by his own conduct as the chief executive of Congress government. One finds that the Finance ministers, the key officials of the Reserve Bank, and such leading industrial financing institutions as the IFCI, IDBI, and ICICI were all men either from the private sector itself or very much sympathetic to it. The effect could be gauged from the fact that although the government was "committed" to the curbing of the growth of monopoly and big business, the Department of Company Affairs in the Ministry of Law -- in itself a surprising occurrence -- did not maintain even a list of companies under the control of big business houses. This monumental fraud continues even today.

P.D. Tandon, he occupied both the chairs and used Shastri as his chief trouble-shooter in the party affairs. Congress party itself had not much significance to him: he used it only as a secondary vote mobilizing machinery supplementing his extensive personal tours through the length and breadth of the country. After his illness, although he agreed to have pliant Congress Presidents, he certainly ran it as his pocket barrow.

Since the party itself stood devalued, Nehru was not much bothered about the character of membership of the Congress party. It was during this phase that the convenient arrangement of manufacturing membership was patented by the party bosses in their regions. However, Nehru ensured that those who were not in tune with his style of functioning got ticked off. In their place in came the same very elements which had, during the freedom struggle, sided with the British: these included most of the ex-rulers, big land lords and some selected industrialists. In the selection of the candidates for the state legislatures and the Parliament what clinched the Congress ticket for the aspirants was not party work, integrity and potential to work for the party "ideals"; it was their link with the hierarchical understructure which controlled the party machine. The logic given was that a Congressman won generally because he was given party ticket, party machine and above all, the license to use the magic of Gandhi and Nehru: his individual work was/worth nothing.

The formal structure of the Congress, in any case, provided too much powers to the Congress President, who, till the constitution itself was amended during Indira's Prime-Ministership, was empowered to nominate the entire Working Committee, the highest power-wielding body. The CWC was always packed with men whom Nehru liked. But even this underwent a sea-change once Nehru realized that he was not going to be alive much longer. He decided to use Indira for both party and government work and almost totally relied on the men around him²⁸. He made it sure that his daughter became the Prime-Minister after his demise and to that end eliminated senior-most members of his cabinet via the Kamraj Plan²⁹.

28 Shastri's aide and biographer, Shivmangal Prakash records that Nehru had started greatly relying on Indira after his illness. Indira herself operated via Congress Presidents in the party and through her father in the government affairs. See, Shivmangal Prakash, op cit, 9-10.

29 Ibid, 10-11.

Nehru's treatment of state party units of the Congress and the state governments headed by the Chief Ministers depended upon his equations with the persons concerned. These could be broadly categorized into : (a) those who could get any thing they wanted and in whose case Nehru's interference was but minimal. These included men like B.C. Roy and Shri Krishna Sinha³⁰; (b) those who could get most of the things they sought but in whose case Nehru called the tune³¹; (c) those who just could not function without Nehru's support either in the party or in the government or in both; (d) those with whom Nehru had special ties i.e. U.P. and M.P. and where his interference at the party level was endemic and at the Government level minimum till men like G.B. Pant and Ravi Shanker Shukla remained and increased after their exit.

Nehru's behaviour in terms of selection, continuation and removals of the state party and government chiefs and their important colleagues varied between that of a subtle political operator to a benevolent dictator. It is here that the particular contexts of each case also influenced Nehru as did his personal equation with the persons involved. Two instances illustrate this rather vividly. After Pant was made the Union Home Minister, Sampurnanand became the U.P. Chief Minister by virtue of his seniority and C.B. Gupta had to wait in the wings. However, he (Gupta) enticed Nehru to trap poor Sampurnanand to quit the Chief Ministership if his (Sampurnanand's) nominee i.e. Kamlapati Tripathi lost the election of U.P. Pradesh Congress Committee³². As it turned out, Tripathi lost the election and so Sampurnanand his Chief Ministership. A slightly different case was that of Nehru's friend and M.P. Chief Minister, K.N. Katzu³³. He lost in the 1962 assembly elections and Mandloi became the C.M. However, at Nehru's instance Katzu was enabled to come back to the Assembly through a bye-election. Nehru

30 These men did not totally depend upon Nehru's support for getting votes and the rank and file stood solidly behind them.

31 These were equally effective politicians but to keep staggering Congress majorities they needed Nehru's magnetic pull. A price had to be paid for in the bargain.

32 On the face of it, the proposition was queer. But going into the motivations behind this move, one finds that Nehru was trying to remove a man whom he could have otherwise not asked to quit Chief Ministership.

33 He had also been the Union Home Minister for some time.

asked Shastri to persuade Mandloi to resign in favour of Katzu. For once, Shastri, however, refused to carry the errand³⁴. Some others carried Nehru's message but the C.M. refused to resign. A 'no-confidence' motion was brought against him by Nehru followers but to Nehru's surprise it was defeated. Nehru could not take this blow to his prestige and removed Mandloi under the Kamraj Plan.

The office of Governors is a crucial link between the Centre and the States. Nehru started the practice of making this position of dumping ground for the defeated Congress politicians, retired civil servants and defecting opposition leaders³⁵. Thus, the Governor, who, like the President at the Centre, is a guardian of the constitution at the state level, became an appointment for party convenience. Worse was to follow. The office was used to further the Congress party interests in general, but, if worst came to worst, even the interests of a particular faction in the Congress party³⁶. A complementary role delineated for him was to be perpetual host, in an imperialist tradition, to the party big wigs from the central cabinet, "gracing" inauguration and validictory functions of such a variety of institutions as Rotary Clubs to the Society for the Promotion of Eating Cow Dung.

It was in the areas of policy formulation, programme budgeting and general direction of societal development where Nehru left little scope for the state governments to decide things for themselves. The constitution had bestowed on the Centre complete say on the subjects figuring in the Central and the Concurrent lists. Central dominance had, however, been equally great in respect of subjects forming part of the State list. Nehru government committed the mistake of dictating policies, directives, guidelines, and suggestions to the state governments on all matters on the one hand, and subjecting them to

34 Shastri was shocked at this undemocratic suggestion from Nehru and although he had carried all Nehru assignments earlier on, he decided to do nothing about it. See, Shivmangal Prakash, op cit, 10.

35 The then President, Rajendra Prasad had disapproved of this tendency and unsuccessfully tried to dissuade Nehru from doing so. See, for example, G.L. Handa, Rajendra Prasad: Twelve Years of Triumph and Despair, (New Delhi, Vikas, 1977).

36 Factionalism, one notes, has been a historical legacy with the Congress and since most other parties were offshoots from Congress they too were afflicted by this hereditary disease.

centralized planning on the other. Planning Commission, which under Nehru's personal insistence, came to enjoy the status of a super-cabinet³⁷, was -- and continues to be -- an extra constitutional institution³⁸.

In the enforcement of adherence to Central guidelines and allocation of funds, Nehru did not show any partiality to different Congress Chief Ministers. However, as indicated earlier, some were more successful than the others. One instance where the Central directive on a State list subject was ignored was Dr. B.C. Roy's establishment of Primary Health Centres in the early fifties. U.P. had a raw deal from the Planning Commission because the P.M. was very sensitive of being accused of favouring his native state.

During Nehru era, only one non-Congress ministry came to power i.e. EMS Namboodiripad Ministry in Kerala in 1957. However, Nehru's conduct should be judged not only from his treatment of Kerala ministry but also, equally importantly, how he allowed the opposition to exist. It is not adequately realized in this country that it was Nehru who systematically decapitated the opposition parties through periodical defections on the one hand and forcing the opposition to fight unequal electoral battles on the other. Nehru finished the distinction between the party and the government³⁹ and unabashedly used the government resources for his whirlwind -- extensive and expensive -- election tours. He showed the shrewdness of asking the leading opposition lights to give him suggestions so that he could claim that his actions had national support. In 1953, for example, he invited Jayprakash Narayan to give him a plan for improving the worsening political-economic situation and J.P. produced a 14 point plan for socialist actions⁴⁰. He did nothing on them.

37 Each technical member of the Planning Commission was given the status of a Cabinet Minister. No one has cared to throw any light on the legal legitimizing source behind this decision.

38 This is not to imply that there should have been no planning mechanism.

39 After 1950, he became the Government itself. See, for example, W. Crocker, Nehru : A Contemporary's Estimate, (London, George Allen & Unwin, 1966), 73.

40 Nehru's daughter was to make use of these 22 years later and make them look as her own. Indira was an improvement on Nehru on this point too. She perfected the art of using men, material and institutions and after they had served her purpose, discarding them for alternates.

For a while Nehru -- and most other Congressmen -- showed an attitude of benign neglect toward the EMS ministry formed in 1957. However, by 1959 Nehru had decided to install Indira in his chair and appointed her as the Congress President. Indira, through her local supporters, got an agitation built up against the ministry and Nehru dismissed a state government which was duly elected and enjoyed majority in the Assembly⁴¹. It is now known that President Rajendra Prasad was dead against this move⁴².

Congress Party During 1966-1977

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Indira has been the central character during this time frame. It does not mean, however, that her profiles during all these years were same. As we would see, they were not.

Indira had been groomed by her father for the role she came to play later on. This grooming consisted of (a) receipt of parental patronage on visits to other countries and in India and thereby knowing statesmen and politicians and their trade from a closer distance; (b) induction as the Party President in 1959 after rejecting as senior a Congressman as S. Nijilingappa; (c) assisting Nehru in dealing with government files since 1962⁴³; and (d) elimination of leading contenders for the "throne" of Nehru under the Kamraj Plan.

Indira's description of herself is best evident when she talks of her policies, programmes, and the Congress party⁴⁴. She is

41 The same Indira came to accuse the opposition of toppling democratically elected and majority -- retaining Congress governments in Gujarat and Bihar in 1975.

42 See, for example, G.L. Handa, op cit.

43 For the outside world, Nehru had Shastri to assist him, as Minister without portfolio. However, Shastri's services were not being properly used and it was Indira who was deciding the issues. In fact, the infamous Kamraj Plan was actually authored by Indira. See, Shivmangal Prakash, op cit, 131.

44 One is particularly referred to the wordings of her letter of November 21, 1977 to the Shah Commission, her letter of resignation from the Congress Working Committee dated 9th December, 1977 but delivered on the 18th, and her outbursts against the Janata government for changing "her" policies. The emphasis is on the personage.

obsessed with her ownself and anything that she has done since D.P. Mishra enabled her to become the Prime-Minister. Her sole objective has been to complete her personal rule and its continuation⁴⁵. She has been trying to put it across to the public that her Prime-Ministership was continuation of Nehru's innings and was equally exemplary. Nehru himself had acknowledged his mistakes⁴⁶ but his daughter took the stance that she was the last word. Nehru certainly was a polished man and this made Indira think in her heart of hearts that she did not really deserve Nehru's mantle. Yet, if any thing she wanted absolute power. In the initial period, she was not acting on her own as the Prime-Minister: D.P. Mishra and U.S. Dixit from the party and P.N. Haksar and a whole lot of Kashmiri Brahmins provided her with the necessary strategies and drafted her tactical moves⁴⁷. After the split in Congress in 1969 and the Bangladesh war in 1971, she herself seemed to acquire the political strength that flows from personal confidence. Apparently this was not so because at the peak of her personal rule, she dreaded threat to herself by all sorts of people and launched the notorious phase of emergency. Indira has been described as a liar, -- and a fluent one at that⁴⁸ --, power - crazy, ruthless, hardhitting and vindictive⁴⁹. She certainly showed through her conduct in the government and in the party that she wanted to continue the Nehru dynasty and that in ensuring this any thing that provided a stumbling block had to be demolished, whatever be the consequences for the party, government, people and the country.

45 D.P. Mishra in a letter to Shanker Dayal Singh, Dharmyug, 28 (50), 25th December, 1977, 13.

46 Nehru, for example, told the Lok Sabha on the 11th December, 1963, "the problem of unemployment had not been solved by big industries -- which he had called modern temples at one time --; that he very much remembered Gandhi; that due to his and Planning Commission's mistake a major portion of country's wealth had got concentrated in a few families; that this mistake would not be repeated in future". He did not live long enough thereafter and so one cannot pronounce any judgement on this aspect of his conduct.

47 Crocker records that the Nehrus considered the Brahmins, particularly of Kashmiri vintage, superior in ability and, therefore, stacked them in key offices. See, W. Crocker, op cit, 142-143.

48 Of all the people, this opinion is that of D.P. Mishra, her one time political mentor. See, D.P. Mishra, talking to Shanker Dayal Singh, Dharmyug, 28 (50), 25th December, 1977, 12.

49 These have been conferred by her own aunt, Mrs. Pandit. See, The Pioneer, November 1, 1977.

In the background of the above mentioned traits, it comes as no surprise to find that ideology had no importance to Indira. She camouflaged her personal fight with the party bosses in 1969 as an ideological fight and used the then "Young Turks" as her storm-troopers. But after she had achieved her aim, she discarded them and changed her stance. Congress party's ideology during Indira's Prime-Ministership had to be what she wanted it to be since the party had been reduced to be a servicing institution. Indira left no room for the party to function and, therefore, the question of party's supremacy as a collective body never really arose.

Indira captured the Congress in 1969 and unleashed a trend of personalizing the power structure even in the States. In doing so, the party membership underwent a qualitative change. Since at the Central level common formed the ring around her and ran her errands, the same had to be repeated at the State and district levels. At her initiative, Congress membership was given a graded character in which some were more important than the others and importance in the party got dovetailed with one's capacity to collect funds, manage stage-managed shows - support or opposition rallies etc, -- and ability to please the presiding deity. Party membership was used only to further personal objectives set by her.

Indira provided the classic example of running an old party machine without any organisational elections. In this schema, the State PCC Chiefs and Election Committees acquired a perpetual ad hoc character : they could be replaced at the drop of a vague hint by Indira. In the latter part of her regime, Sanjay came to command the same position; only the harassed party men had two bosses to serve. The formal structure of the party got completely devalued and political ruffians acquired controls of levers of power. The informal under-structure of the party got too much narrowed down just below the top that ultimately below Indira only four men exercised political power. This caucus, of course, used every conceivable dirty trick to enforce its will not only on the party but on the entire country. It was during this period that ruling class elements drawn from outside the Congress party (i.e. bureaucracy and industry) also enjoyed unbridled power in the party affairs : all others were terrorized.

Nehru had removed only a few Chief Ministers -- and some Central Cabinet Ministers -- under the Kamraj Plan : Indira made it her business to appoint, continue and dismiss Chief Ministers at her sweet will after 1969. In fact, one got the Chief Ministership on only two considerations : (a) he or she was personal

nominee of Indira; (b) he or she continued to be figurehead C.M. and did not display his/her own independent political strength⁵⁰. Of course, most of her appointees were political mosquito -- weights and governments in their states continued to totter as they kept themselves busy with their schedule to Delhi and back to the State Capitals. This suited Indira admirably. Nehru had left a rich legacy of interstate disputes which Indira increased. She also played one faction at the State level against the other. She could always afford to ditch one C.M. for another after she had used him/her to her relish : there were always many in waiting⁵¹. Only Chimanbhai Patel could become Gujarat Chief Minister against Indira's wishes but he too was taught a lesson some time later⁵².

Governors became personal nominees of Indira after 1969 and the task assigned to them was to protect the interests of none other excepting Indira, not even the Congress Party. Thus, if a Chief Minister, who had become unpalatable to Indira, had to be removed, it was the job of the Governor to see that the State legislature was kept in "suspended animation" or dissolved, as commanded from Delhi, and the alternate candidate installed in his place⁵³.

Subject listing in the Indian constitution completely lost its meaning once Indira assumed her emperious profile. The State governments had to do exactly what they were asked to do irrespective of the fact whether the constitution or law permitted it or not. In fact, their only job was to comply with the orders that emanated from "the Prime-Minister's house", not even

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- 50 H.N. Bahuguna, the former U.P. Chief Minister was an Indira nominee to begin with. However, he got the brush because he was acting on his own and was in the process of acquiring a solid organisational base in U.P. which Indira could never allow.
- 51 Emprirically, one is able to find some substance in the allegation that Indira preferred Brahmins over the others as C.Ms in some of the states. Bihar, U.P. and A.P. are examples.
- 52 The Navnirmen agitation, after its initial spontaneous stage, had drawn its inspiration -- and some sustenance -- from men like U.S. Dixit and Yashpal Kapoor. That this was so is confirmed by subsequent conduct of some student leaders, quite a few of whom joined the Congress party.
- 53 Some one was always deputed from Delhi to make the MLAs change the sides : means were immaterial.

from the Central government⁵⁴. Indira instilled in them the idea of complete unaccountability.

Indira did not tolerate dissent in her own party : there was hardly any chance for her tolerating opposition ruled state governments. However, even here personal compulsions than any thing else governed her political conduct. She accommodated the DMK Government in Tamil Nadu and the CPI led coalition in Kerala politically and economically so long as it was absolutely essential for her to do so : she knocked off the DMK government without even batting an eye lid, when she did not need its support. She also ordered deployment of CRP and BSF personnel in some of the States in the teeth of opposition of the governments⁵⁵.

The difference between Nehru and Indira in the practice of politics lies not so much in its direction as in the content and styles. Indira brought party politics to the gutter level dirtiness, reduced political opposition to personal enmity and proceeded to take such remedial action which knew no limits of barbarism. It is sheer accident that she got overthrown by a strictly manipulable and favourably-loaded process of election.

III

Janata Party

We have earlier argued that the Congress was not a political party in a strict political sense. Historical irony is that the Janata party too is not a political party : it is, on the one hand, a potly crowd of disparate elements assembled together again because of historical necessities. The fission of Jana Sangh, Bhartiya Lok Dal, Socialist Party, Congress(O) and the Congress for Democracy and their fusion into Janata party was facilitated by dictatorial and despotic personal rule of Indira. In fact, the fight which started against her with the Navnirman agitation in Gujarat and J.P.'s "total revolution" in Bihar⁵⁶

54 One of the tasks assigned to the Chief Ministers in 1976, for example, was to promote Sanjay Gandhi as the most important youth leader. It goes to the "credit" of some of the CMs to carry his chappals, holding his cigaretts and taking his weight on their shoulders. Managing largest possible crowds -- by forcibly herding the unwilling people -- became a competition among the CMs on which state money was lavishly spent.

55 Constitution certainly permitted this at that time.

56 These two movements were, at an abstract level, manifestations of protests against the subjugation of interests of the common man over those of a few from the ruling Congress party. For a descriptive analysis of these, see Ghanshyam Shah, Protest Movements in Two Indian States, (Delhi, Ajanta, 1977).

acquired the shape of a second freedom movement after the proclamation of internal emergency in May 1975. What, therefore, brought the disparate elements together was their common desire to restore civil liberties, personal freedom, right to dissent and freedom of expression : no prior agreement was reached among them on socio-economic-political ideology.

When the Janata party unexpectedly found itself catapulted to power at the Centre, it had to start thinking in terms of providing itself with some ideology. But, as its actions during the first six months of its rule indicate, it concerned itself **first** with the restoration of liberties, freedom of expression and the right to dissent. More earthy issues such as socio-economic development got secondary importance. Janata Party's conduct in the aftermath of forced elections to the state assemblies of 9 states has largely been concerned with Indira, Congress party, indeed nothing but the past⁵⁷. It is yet to settle down to the more mundane task of governing : it seems more pre-occupied with providing its moral justification⁵⁸.

Since Janata party was born because of traumatic experience of personal rule, so far no single personality in it has assumed immense powers. However, this is both an asset and a liability. The stark reality with the Janata party is that its constituents have not shed their previous loyalties : in fact, behind the scene, they are involved in a desperate and bitter fight to capture the party organisation⁵⁹. Party membership is yet to acquire any distinct ideological character and this is not likely to happen for some more time to come because of developing situation in A.P., Karnataka, Maharashtra and even Kerala.

Organisational structure of the Janata party is still incomplete although it now seems that the structure itself is going to be nearer the erstwhile Congress(0) model. In some of the states the ad hoc Pradesh Janata Committees are yet to take concrete shape : in certain others they are not even formally established. The composition of these Pradesh Committees reflects the absence of ideological homogeneity.

57 No political party could live successfully without addressing itself to the future.

58 Already political compulsions of ruling class have forced it to have second thoughts about its stand on civil liberties, defections and such "basic" issues on which it came to power.

59 Stalwarts like Jagjivan Ram and H.N. Bahuguna have already been reduced to be non-entities.

Janata party has been the ruling party at the Centre for over 9 months and in some of the States for about 6 months. Enough evidence is now available to form an opinion about its brand of federal politics in India. On the basis of this evidence, it turns out that in dealing with the States Janata party too is going to be guided not by the constitutional provisions but, like the Congress party during the last 30 years, only by party's political convenience.

The selection of Janata Chief Ministers in Janata ruled states, for instance, was not decided by the party legislatures of their own free will : backstage agreement among the largest two constituents -- the Jana Sangh and the BLD -- apportioned the spoils. In almost every state, better candidates were available to lead the states⁶⁰ but, as it turned out, they did not belong to these two. The selected Chief Ministers have tried to give weightage to their own ex-party colleagues in their cabinets in an attempt to consolidate their gains at the cost of the other constituents. There is also strong central party intervention in the intra-party rumblings in the state legislature parties and Janata has followed the old Congress habit of not letting the state units run their own show⁶¹. At the party levels, however, Janata party President has tried to be even-handed in constituting the State Committees but since the number of constituents he had to satisfy was so large that the eventual exercise has become a farce.

Governors appointed during the 9 months of Janata rule do not appear to change the pattern set by the Congress. It is yet to be seen how they are going to be used if there is a crisis involving Janata and non-Janata party ruled states. Central directives to the M.P. government to drop its mini-MISA and co-operative nomination ordinances dealt with the subjects strictly figuring in the state list and yet they were enforced⁶².

60 To the extent Janata had not anticipated its staggering win in the Lok Sabha elections it had fielded its best State level talent for the same. As a result, there was acute paucity of candidates of stature when elections took place in some of the states. Inevitably, this also affected the choice of the Chief-Ministers.

61 Handling of Shyama Sharma and Shusma Swaraj issues from H.P. and Haryana respectively are examples where the Central intervention overruled the State CMs. In case of Nandini Satpathy in Orissa, the State C.M. pre-empted Central intervention by making the fight between him and the former C.M. purely a judicial matter, to be decided in the courts.

62 This smacks of double standards since the Central government itself has tried to smuggle the MISA provisions in the Indian Criminal Procedure Code via an amendment

Janata's tolerance of opposition ruled state governments, on the basis of evidence piled so far, does not appear to be very high. The Home Minister started the war on them by forcing quite a few Chief Ministers to go in for assembly elections on a very ludicrous plea and has kept it up by asking some others to explain their conduct -- vis-a-vis charges of corruption et al -- and appointment of enquiry commissions⁶³. The Central response to Sheikh Abdullah's preventive ordinance in J & K has been more carefully worded and it remains to be seen how the Kerala Chief Minister Antony would be handled in what appears to be a developing political situation. Janata's handling of post-cyclone politics in A.P. makes it obvious that it would, like the Congress, exploit every possible opportunity to further its party interests. To sum up, the Janata Party's handling of intra-party and inter-party issues forming the core of federal politics do not appear to be any different than those of the Congress: only they lack Indira's cold bloodedness, crudeness and brutality.

IV

The future of federalism in India could be viewed in two perspectives : one, where the existing structure is assumed to continue and, second, where the existing structure is suitably, indeed drastically changed. It is our considered opinion that in the prevailing context, the present socio-economic-political structure is not going to change in any significant manner in the near future and yet, we would also discuss the second perspective because we feel that grasp of realities should not obscure our view of better alternatives. In describing the two, the first one becomes identification of crucial variables and the second enunciation of possible objectives.

Federalism within the Existing Order

The future of federal politics within the existing order would largely be determined by the following :

a) the shape and substance which the Janata and the Congress -- or whatever remains of it -- parties succeed to provide to themselves in the next few years. As of today, both are in a very unstable situation; the former because of spoils for which it was not ready and the latter because of its internal functioning.

63 One may not disagree with the objectives of these enquiries. The important point here, however, is that the same standards are not applicable to the Janata Cabinet Ministers at the Centre, C.M.s and their colleagues.

- b) the geographical spread of influence of ideologically sound but politically not so effective all India parties like the CPI(M)⁶⁴.
- c) the coming together of strictly regional parties like the Akali Dal, AIDMK and National Conference etc. as ruling state parties on centre -- state issues and assertion of their political leverage⁶⁵.
- d) the interactional web of relationships developed by the ruling parties among themselves and within their own parties when in power.
- e) the influence allowed to be exercised by the other segments of the ruling class not forming formal part of the ruling parties.

Federalism in a Changed Order

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This would largely depend upon the very shape of the changed order itself but in particular the shape of the economy and the state. Assuming that this would be given effect by an ideologically sound party, truly alive to the full utilization of the local empirical realities, the following should be aimed at :

- a) strict and clearcut demarcation of the functions of the Centre and the States. In this, there would be no overlap and the Centre would have only a few subjects which require all-India and international perspectives.
- b) full autonomy to the States to formulate their own policies and programmes.
- c) establishment of the doctrine of accountability for every arm of the government and provision of structure and strength to its operationalization.

[30th December, 1977]

64 The CPI is not included in it because for quite sometime it has not operated for itself. Its National Council in its latest deliberations held in Delhi during the last week of December 1977 has conceded this tacitly.

65 West Bengal Chief Minister Jyoti Basu has already provided a lead in this regard by holding such a meeting.

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